

D⁵
a computer comprising stored information on fibre characteristics versus sound velocity through wood and arranged to determine a measure of the average fibre length of wood fibre to be produced from the solid wood member by reference to said stored information on the average fibre length versus detected sound velocity through the solid wood member.

Please cancel claims 2, 6, 7, 9, 10, 12, 13, 14, 15, 18, 20, 21, 22, 23, 24, 25, and 30 without prejudice.

REMARKS

This amendment is submitted after the final rejection of November 4, 2002, wherein claims 11 and 29 were objected to but indicated as including allowable subject matter in that the art did not teach determining the average fiber length of wood fibers from a solid wood member. Applicants have incorporated this limitation into claims 1, 3, 4, 8, 26, 27 and 28, and amended claims 11 and 29 to include the limitations of the base claims 9 and 10 from which they depended.

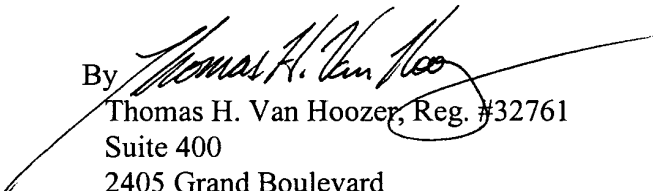
The cover sheet of the November 4 office action indicated that certain claims had been withdrawn from consideration, but the body of the office action considered all of the pending claims and did not address the traverse of the applicants embodied in the August 16, 2002 response to the restriction requirement. It is thus believed that the examiner considered the traverse of the restriction requirement as meritorious. This is especially true now that all claims, both method and apparatus, embody the same special technical feature of predictively assessing average fibre length based on sound transmission through the solid wood member. Thus, there is unity of invention for all of the claims now pending in accordance with PCT Rule 13.2(ii).

Applicant has amended the title of the application to more accurately reflect the subject of the application in view of the amendments to the application and to reflect that it includes both a method and an apparatus. Applicant thus believes the present amendment addresses the outstanding issues, the amendments having been made without prejudice to filing a continuation case. Accordingly, it is believed that a Notice of Allowance is now in order and early allowance is therefore courteously solicited. Should the examiner have any questions which may be resolved by a telephone conference, he may contact the undersigned at 1-800-445-3460. Any additional fees due in connection with this submission may be charged to Deposit Account 19-0522.

Respectfully submitted,

HOVEY WILLIAMS LLP

By


Thomas H. Van Hoozer, Reg. #32761
Suite 400
2405 Grand Boulevard
Kansas City, Missouri 64108
(816) 474-9050

(Docket No. 31386)

Title: METHOD OF SELECTING AND/OR
PROCESSING WOOD ACCORDING TO
FIBRE CHARACTERISTICS

Inventors: Albert, Denis John et al.

Appl. Ser. No.: 09/763,511

Group Art Unit: 1731

Examiner: Steve Alvo

Atty Dkt No.: 31386

MARKED UP COPY OF AMENDMENT AFTER FINAL PURSUANT TO RULE 1.116

TITLE

Please amend the title as follows: – METHOD AND APPARATUS [OF SELECTING AND/OR PROCESSING WOOD] FOR PREDICTIVELY ASSESSING WOOD ACCORDING TO FIBRE CHARACTERISTICS – .

CLAIMS

Please amend the claims as follows:

1. (Three Times Amended) A method for predictively assessing one or more characteristics of wood fibre or wood pulp to be produced from a solid wood member, wherein the one characteristic is average fibre length, comprising the steps of:
 - causing sound to be transmitted through the solid wood member;
 - determining the velocity of the transmitted sound through the solid wood member; and
 - predictively assessing [at least one fibre characteristic] a measure of the average fibre length of wood fibre or wood pulp to be produced from the solid wood member by reference at least in part to the determined sound velocity through the solid wood.

Title: METHOD OF SELECTING AND/OR
PROCESSING WOOD ACCORDING TO
FIBRE CHARACTERISTICS

Inventors: Albert, Denis John et al.

Appl. Ser. No.: 09/763,511

Group Art Unit: 1731

Examiner: Steve Alvo

Atty Dkt No.: 31386

Page 2

3. (Three Times Amended) A method for predictively assessing one or more characteristics of wood fibre or wood pulp to be produced from a solid wood member having one end and another end longitudinally spaced from the one end along the length of the solid wood member, wherein the one characteristic is average fibre length, comprising the steps of:

placing a sensing means capable of detecting sound in the solid wood member in contact with or within sensing distance of one end of the length of the solid wood member;

placing a second sensing means capable of detecting sound in the solid wood member in contact with or within sensing distance of another end of the length of the solid wood member,

causing a sound wave to be transmitted in the length of the solid wood member from one end to the other end;

detecting the sound at each end of the length of the solid wood member via the sensing means and determining the velocity of the transmitted sound in the wood; and

predictively assessing [at least one characteristic] a measure of average fibre length of wood fibre or wood pulp to be produced from the solid wood member by reference to stored information on [at least one] average fibre [characteristic] length versus sound velocity through the wood.

4. (Three Times Amended) A method for predictively assessing one or more characteristics of wood fibre or wood pulp to be produced from a solid wood member having one end and another end longitudinally spaced from the one end along the length of the solid wood member, wherein the characteristic is average fibre length, including the steps of:

placing means capable of detecting both an original and a reflected sound wave in contact with or within sensing distance of one end of a length of a solid wood member;

causing a sound wave to be transmitted in the length of the solid wood member;

detecting a reflected echo of the sound wave in the solid wood member;

determining the velocity of the sound wave in the solid wood member; and

predictively assessing [at least one characteristic] a measure of average fibre length of wood fibre or wood pulp to be produced from the solid wood member at least in part by reference to stored information on [at least one] average fibre length [characteristic] versus sound velocity through the wood.

Title: METHOD OF SELECTING AND/OR
PROCESSING WOOD ACCORDING TO
FIBRE CHARACTERISTICS

Inventors: Albert, Denis John et al.

Appl. Ser. No.: 09/763,511

Group Art Unit: 1731

Examiner: Steve Alvo

Atty Dkt No.: 31386

Page 3

8. (Three Times Amended) A method of segregating solid wood members for use in pulp and paper or fibre board production including determining [at least one fibre characteristic] a measure of average fibre length of individual solid wood members using the method of claim 1.

11. (Three Times Amended) Apparatus [according to claim 9] for predictively assessing a measure of average fibre length of wood fibre or wood pulp to be produced from a solid wood member comprising:
a sensor capable of detecting the velocity of a sound wave through a solid wood member along the length thereof; and
a computer comprising stored information on suitability of wood for production of wood fibre or wood pulp versus sound velocity through wood and arranged to determine a measure of the average fibre length of the wood fibre or wood pulp to be produced from the solid wood member by reference to said stored information on the at least one fibre characteristic versus detected velocity through the solid wood member.

26. (Twice Amended) A method of segregating solid wood members for use in pulp and paper or fibre board production including determining [at least one fibre characteristic] the average fibre length of individual solid wood members using the method of claim 3.

27. (Twice Amended) A method of segregating solid wood members for use in pulp and paper or fibre board production including determining [at least one fibre characteristic] the average fibre length of individual solid wood members using the method of claim 4.

28. (Twice Amended) A method of segregating solid wood members for use in pulp and paper or fibre board production including determining [at least one fibre characteristic] the average fibre length of individual solid wood members using the method of claim 5.

Title: METHOD OF SELECTING AND/OR
PROCESSING WOOD ACCORDING TO
FIBRE CHARACTERISTICS

Inventors: Albert, Denis John et al.

Appl. Ser. No.: 09/763,511

Group Art Unit: 1731

Examiner: Steve Alvo

Atty Dkt No.: 31386

Page 4

29. (Twice Amended) Apparatus [according to claim 10] for predictively assessing at least one characteristic of wood fibre or wood pulp to be produced from a solid wood member, wherein the characteristic is average fibre length, comprising:
a sensor capable of detecting both an original and a reflected sound wave in a solid wood member along the length thereof; and
a computer comprising stored information on fibre characteristics versus sound velocity through wood and arranged to determine a measure of the average fibre length of wood fibre to be produced from the solid wood member by reference to said stored information on the average fibre length versus detected sound velocity through the solid wood member.